

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ANA LUZ ALICEA PADILLA

CASE NO. 21-01193-ESL

CHAPTER 13

DEBTOR(S)

**TRUSTEE'S UNFAVORABLE REPORT
ON POST CONFIRMATION MODIFIED PLAN DATED 10/8/2024**

With respect to the above-referred payment plan with a base of \$21,455.00 the Trustee
Renders the following recommendation:

☐

FAVORABLE

☒

UNFAVORABLE

The liquidation value of the estate is :\$ 0.00

The general unsecured pool is :\$ 0.00

The applicable commitment period (years) is: 5

1. ☐ FEASIBILITY 11 USC § 1325(a)(6):
2. ☐ INSUFFICIENTLY FUNDED § 1325(b):
3. ☐ UNFAIR DISCRIMINATION § 1322(b):
5. ☐ FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):
4. ☐ FAILS LIQUIDATION VALUE TEST § 1325(a)(4):
6. ☐ DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):

7. ☒ OTHER:

(1) Per part 2.3 of the plan debtor has to provide copy of each income tax return filed within 14 days of its filing. The period to file such returns elapsed, thus copy of 2022 and 2023 tax return needs to be submitted as provided in plan. (2) Debtor has not devoted the 2023 PAD bonus to the plans funding. Also, plan does not contemplate future bonus that debtor may be entitled to receive each December. Thus, the plan should be amended to include a text devoting the bonus. Trustee suggests the following text: The governmental Special Bonus that the debtor would be entitled to receive after during the term of the plan will be used to fund this plan. The tender of such payments shall deem the plan modified by such amount, increasing the base thereby without the need of further notice, hearing, or court order. If need be, for the use by debtor of a portion of such bonus, debtor shall seek court's authorization prior to any use of these funds.

TRUSTEE'S REPORT ON POST CONFIRMATION

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NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s).
Copies are available to parties in interest at the Trustee's Office.

DATE: 10/9/2024

ROBERTO FIGUEROA

COUNSEL FOR DEBTOR(S)

/s/ Miriam Salwen Acosta

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Chapter 13 Trustee

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